

**REPORT - PLANNING COMMISSION MEETING**  
**June 26, 2003**

**Project Name and Number:** MAPLE STREET RESIDENTIAL COMMUNITY (PLN2003-00200)

**Applicant:** James Silverwood, Affirmed Housing Group

**Proposal:** To consider a Preliminary and Precise Planned District rezoning from C-C (CSPC) and R-1-6 (CSPC) to a Preliminary Planned District (P) for the single-family portion and a Preliminary and Precise Planned District (P-2003-200) for the multi-family portion of the project to implement the General Plan and Centerville Plan changes on a total of 5.4 acres.

**Recommended Action:** Recommend to City Council

**Location:** 37237, 37217, 37225 Maple Street and 4179 Baine Avenue, Centerville Planning Area

**APN:** 501-0499-085-02, 501-0499-086-00, 501-0499-087-02, 501-0499-088-00

**Area:** 5.4 acres

**Owner:** Bonde, Bonde, and Bonde, Javier & Kimberlee Cavazos, City of Fremont

**Agent of Applicant:** Ken Rohde, KTG Group

**Environmental Review:** An Initial Study and Mitigated Negative Declaration has been prepared and circulated for this project.

**Existing General Plan:** High Density Residential (27-35 units per acre); Medium Density Residential (6.5 – 10 units per acre)

**Existing Zoning:** Community Commercial (C-C), Residential Single-Family R-1-6, and Centerville Specific Plan (CSPC)

**Existing Land Use:** Undeveloped property, existing single-family residence, car-wash, and a multi-tenant building with automobile repair uses.

**Public Hearing Notice:** Public hearing notification is applicable. 517 notices were mailed to owners and occupants of property within a minimum radius of 1000 feet from the site on the following streets: Peralta Boulevard, Allen Court, Fremont Boulevard, Dusterberry Way, Maple Street, Elm Street, Oak Street, Holly Street, Post Street, Joseph Street, Gillett Road, Bonde Way, Rose Court, Beloveria Court, Baine Avenue, Thornton Avenue, Hansen Avenue, Central Avenue, Tomasek Terrace. The notices to owners and occupants were mailed on June 16, 2003. A Public Hearing Notice was delivered to The Argus newspaper on June 11, 2003 to be published by June 16, 2003.

**Background and Previous Actions:**

**Community Engagement:** The applicant, Affirmed Housing Group, conducted three community meetings (August 27, 2002, October 3, 2002, November 6, 2002) at the Centerville Presbyterian Church to create a dialogue with the existing community, gather neighborhood input and to provide information about the developer to the community. The applicant facilitated the first meeting, then hired Glaser & Associates, a professional facilitator with expertise in interest-based problem solving, to facilitate the latter two meetings.

For all three community meetings, notices were mailed out to residents within 1000 feet of the Maple Street project site. Thirty-five residents attended the August meeting, 39 residents attended the October meeting and 26 residents attended the November meeting. To gather additional community input, on September 14 and September 15, 2002, the developer conducted door-to-door outreach to households and businesses near the development site and mailed ballots to community residents in November 2002 for residents to “vote” on a proposed project design. Also, on Saturday, October 26, 2002, City staff hosted a bus tour of 14 affordable housing developments located throughout Fremont in which the City provided financial assistance. Finally, on Saturday, May 3, 2003, the developer held a 3-hour open house and design review meeting for the community to give further input on the proposed plans. Sixteen residents and interested parties took the bus tour while 20 residents attended the open house/design review meeting.

The first development proposal was for 147 apartments and 11 single-family homes. Residents raised many concerns including proposed building heights being too tall, increase in traffic that may occur in the neighborhood due to the new neighbors, proposed density (too dense), desire to reduce the number of affordable apartments and increase the number of market-rate units, available on and offsite parking, compatible architecture (i.e., desire for development to fit in with the existing architectural character of the community), inadequate sewer capacity and the need for sidewalk improvements beyond the frontage of the development, to include stretches of Maple Street, Hansen Avenue and Baine Avenue. A few residents who were interested in renting affordable apartments spoke favorably of the proposed development. The developer responded to residents’ concerns by revising the initial plans, by decreasing the proposed heights of the multi-family residential component and introducing a two-story element rather than solely proposing three stories. In addition, the developer is proposing market-rate single-family homes along Hansen Avenue, which consequently will act as a transition between the existing neighborhood and the multifamily portion.

The density originally proposed to the community has decreased from 147 apartments to 132 apartments and from 11 to 9 single-family homes. A traffic study was conducted to measure traffic impacts of the proposed development. The applicant is also proposing to provide street improvements and street dedication along Baine Avenue, Maple Street and Hansen Avenue across the site’s frontage with a standard sidewalk and landscape area. The required street improvements on Baine Avenue will also accommodate additional on-street parking. Additional public comments are included in the Planning Commission Meeting section of this report.

**Development schedule:** On July 24, 2003, the applicant must submit a funding application to the State of California Tax Credit Allocation Committee (TCAC) for competitive 9% tax credits, the project’s primary funding source. To meet this aggressive schedule, the applicant will be going before the Planning Commission, City Council and Redevelopment Agency Board on June 26, and July 1, 2003 for additional project approvals and Agency financing consideration as presented in the following schedule:

<u>Date</u>	<u>Event</u>
6/26/03	Planning Commission hears Planned District request
7/01/03	City Council hears Planned District request
7/01/03	City Council and Redevelopment Agency Board hearing for consideration of Agency acquisition and construction loan request
7/24/03	Developer applies to TCAC for 9% tax credits – <b>Application #1</b>
9/24/03	Tax credits awarded (if successful)
3/15/04	Developer applies to TCAC for 9% tax credits (if unsuccessful in previous application) – <b>Application #2</b>

7/15/04

Developer applies to TCAC for 9% tax credits (if unsuccessful in previous application) –  
**Application #3**

**Planning Commission Meeting:** During the public comment period at the Planning Commission meeting, four residents spoke regarding the proposed application. One neighbor felt that the proposed density was higher than other affordable housing projects approved by the City in the past and that the developer did not reduce the density enough. He also felt that the development would overwhelm his neighborhood and create traffic problems. Another neighbor felt that the project would put “too many people in such a small area.” She expected that something would go onto the site, but she wanted fewer of everything. She summarized that Hansen and Baine Avenues were very narrow and in her opinion could not accommodate the extra traffic that would be generated by the project. One neighbor read a statement which she stated summarized the local community’s reasons for not supporting the development: the complex would be too large and too tall; up to 500 people could occupy the apartments, which would negatively impact their “quiet, calm and historic old Centerville neighborhood”; the project density should be reduced to half of what is planned; the buildings should be reduced to a maximum of three stories; traffic abatement and new traffic patterns should be created to shield the neighborhood from the additional traffic; and the sidewalks down Hansen Avenue should be completed. She asked that this project be created in a different location, such as the corner of Peralta Boulevard and Dusterberry Way, which is planned for a City park. She asked that this project be continued to allow for a redesign that would be smaller and less dense. Another resident raised concerns over drainage, electrical and “street” problems. He also mentioned that he wanted the Christensen-Hygelund house to be removed. Two members of the Congregations Organizing for Renewal (COR) spoke in favor of the proposed development.

**Staff analysis:** The density originally proposed to the community was decreased during the design stage. The developer’s initial considerations for this project ranged from 147 apartments with no single-family component to 120 apartments and twice the number of single-family homes. Eventually through site design and public input the applicant decreased the number of apartments to 132 along with 9 single-family homes. The applicant also reduced proposed heights of the multi-family residential component and introduced a two-story element rather than solely proposing three stories. In addition, the developer is proposing to provide market rate single-family homes along Hansen Avenue, which consequently, will act as a transition between the existing neighborhood and the multi-family portion. A traffic study was also conducted to measure the traffic impacts of the proposed development. The overall evaluation of the intersection level of service, signal warrants, and vehicle queuing showed that the project would have no significant impact on traffic conditions off-site. The applicant is proposing to provide street improvements and street dedication along Baine Avenue, Maple Street and Hansen Avenue across the site’s frontage with a standard sidewalk and landscape area. The required street improvements on Baine Avenue will also accommodate additional on-street parking.

On May 22, 2003, the Planning Commission voted to recommend the proposed General Plan Amendment and Centerville Specific Plan Amendments (4-1-0-1-1). In addition, the Planning Commission made a Finding that the Christensen-Hygelund house was not eligible for listing on the California Register and recommended that the City Council not require the applicant to retain and rehabilitate the structure as part of the development proposal (3-2-0-1-1).

**Project Description:** The applicant is requesting approval of a Preliminary and Precise District for the development of 132 apartment units in four residential buildings. The applicant is also requesting approval of a Preliminary Planned District for 9 single-family dwelling units along Hansen Avenue.

***Multi-family portion:***

The proposed design elements includes both podium and at-grade parking, a community building, attractive landscaping, open spaces, programmed exterior space with opportunities for community interaction, elevators in one building, podium level terraces with benches and potted plants. Building elements include horizontal siding, board and batten detailing, decorative chimney elements, wood trellises and decorative shutters. Spaces near the community building include a social zone with a trellis and several benches for seating, a barbeque, a tot-lot for

children ages (2-5) and an adventure play area (ages 5-12). A large turf area is also integrated into the design with access paths throughout the development.

The 4264 SF recreational / community building will include a large club room, laundry room, a computer room, office areas for leasing staff, restrooms and a receptionist area. Residents will be able to access their mailboxes in the entry porch area of the community building. Buildings off of Maple Street and those directly adjacent to the proposed single-family homes are proposed to be two stories high (28') stepping up to 3 stories towards the interior of the site (38' & 45').

The site design would accommodate fifteen (15) studio units, thirty-nine (39) one bedroom, one-bathroom units, thirty-nine (39) two-bedroom, one-bathroom units, and thirty-nine (39) three-bedroom, two bathroom units for a total of 132 residential rental apartments. These units will be rent restricted by the Office of Housing and Redevelopment and will be offered to fixed-income seniors, individuals, small families, and larger families. The applicant has stated that the proposed development will offer housing to lower income households that are already living or working in Fremont but cannot afford to continue to live or work here.

The project includes two drive entries off of Baine Avenue and pedestrian connections off of Maple Street and Baine Avenue. The applicant has provided an alternate elevation for the two buildings off of Maple Street to address comments made by staff and the Planning Commission regarding fostering more connectivity between the buildings and the neighborhood. The site is surrounded by single-family residential to the north, railroad track and retail commercial uses to the south, automobile related commercial uses to the east, and single-family residences, a Montessori school and a church to the west.

**Single Family portion:** As mentioned above, the applicant is also requesting approval of a Preliminary Planned District for 9 single family dwelling units along Hansen Avenue. The site plan shows the lotting pattern proposed, with a 4,000 SF minimum lot size. This single-family component will be governed by the City's Small Lot Design Guidelines. Approval in principal of the preliminary site plan shall be limited to the general applicability of the land uses proposed and their interrelationship, and shall not be construed to endorse precise location of uses, configuration of parcels or engineering feasibility, and such approval shall not be construed as or deemed to be in any form or sense a commitment by the city to approve any subsequent formal rezoning application. The Precise Planned District will be evaluated by the Planning Commission at a later date specifically addressing site design and architecture based on the City's Small Lot design Guidelines. The architecture and landscape plan sheet contained in the packets are for information only. A condition of approval has been added requiring the applicant to receive Precise Planned District approvals for the single-family portion prior to issuance of building permits for the multi-family portion.

A Tentative Tract Map application and Preliminary Grading Plan to be reviewed by the Planning Commission, will be required after approval of the Planned District. The Preliminary Grading Plan found in the packets is for information only.

- **General Plan Conformance:** The proceeding discussion under General Plan Conformance assumes that the City Council at its June 24, 2003 meeting will approve the General Plan Amendments as recommended by the Planning Commission on May 22, 2003. The City Council will consider the General Plan Amendment and Specific Plan Amendment and Draft Mitigated Negative Declaration on Tuesday, June 24, 2003 while the Planning Commission is considering the Planned District applications on Thursday, June 26, 2003. This report was drafted prior to both meetings.

**Correction:** The density proposed for the multi-family portion of the application was thought to be "Very High Density" based on information contained on the legend page of the General Plan mapping atlas. It was discovered shortly after the Planning Commission meeting that the General Plan atlas was inconsistent with the General Plan text, which defines 27 to 35 dwelling units per acre as "High Density" rather than "Very High Density". A density range of 50-70 dwelling units per acre is considered to be "Very High Density".

- The existing General Plan land use designation for the project site is high density residential, 27-35 units per acre. Based upon the above land use designation, the development potential for the project site is as follows:

Step 1:	4.43 acres	x	27 units/acre	=	120 dwelling units
Step 2:	4.43 acres	x	31 units/acre	=	137 dwelling units
Step 3:	4.43 acres	x	35 units/acre	=	155 dwelling units

The applicant's request to construct 132 apartment units on the project site is 12 units above step one density and is considered appropriate for this Planned District application. Staff believes the proposed use and design, as conditioned is consistent with the General Plan designation. Please note that this application was deemed complete prior to the implementation of the 2003 Housing Element and therefore, is not required to meet the mid-point number of 137 units.

The existing General Plan land use designation for the single-family portion of the project is Medium Density residential, 6.5 – 10 units per acre. Based upon the above land use designation, the development potential for the project site is as follows:

Step 1:	0.97 acres	x	6.5 units/acre	=	6 dwelling units
Step 2:	0.97 acres	x	8 units/acre	=	8 dwelling units
Step 3:	0.97 acres	x	10 units/acre	=	10 dwelling units

A preliminary plan shows 9 single-family lots along Hansen Avenue and is 3 units above the step one density.

The Preliminary and Precise Planned District (for the multi-family portion) and the Preliminary Planned District (for the single-family portion) meet General Plan Housing and Land Use Goals and Policies as follows:

**Goal H1:** Conservation and enhancement of existing residential neighborhoods.

**Goal H2:** High quality and well-designed new housing of all types throughout the city.

**Analysis:** The proposed Preliminary and Precise Planned District is compatible with these two housing goals. The proposed land use has the potential to enhance the existing residential community by providing well-designed residential buildings, parking and landscaping. The project implements this goal in that the site plan and building design demonstrate that a 132 unit apartment community can be developed on the project site in a manner that provides sufficient setbacks, parking and circulation, open space and landscaping. The proposed design will enhance the pedestrian orientation and character of the existing neighborhood. The proposal's careful siting and landscape design sets the building back from the two street facades with landscaping screening in between, yet orients the building entries, porch areas and fenestration to address the street, encourage pedestrian access, and provide "eyes on the street" which will add an element of safety to the existing neighborhood. The site design, building scale and orientation also provide appropriate transitional design between the existing single-family neighborhood. According to the applicant, the proposed Planned District will result in a multi-family residential project as a partial podium style development with some parking and circulation located below some structures, thereby creating greater open space for the project than would be created with a lower density development. This project would be of a high quality design and construction, and would meet these goals. The Preliminary Planned District (for the single-family component) is compatible with these two housing goals as it creates a transitional area between the existing single-family component and the proposed new multi-family development. The subsequent Precise District will be reviewed by the Planning Commission and City Council and will address architecture and site planning issues for the single-family portion of the project.

**Goal H3:** Housing affordable and appropriate for a variety of Fremont households at all economic levels throughout the City.

**Analysis:** The project implements this goal in that the proposed development would allow for the construction of 132 apartment homes and would be rent restricted by the Office of Housing and redevelopment. The single-family component will be made available to the public at market rate and the small scale of the homes will help to provide more options at the less expensive range of new home prices.

**Land Use Policy LU 1.11:** The proposed project is compatible with this land use policy, which states, "Appropriate transitions shall be encouraged between higher density residential areas and lower density residential areas. Transition can be composed of streets, setbacks, open space, landscape and site treatments, building design and/or other techniques."

**Analysis:** The surrounding land uses are existing single-family residential (5-7 du/acre) and commercial. The proposed development offers a transition between the lower density single-family homes located on Maple, Elm Oak and Holly Street by introducing 9 new single-family homes off of Hansen Avenue. In addition, buildings off of Maple Street and those directly adjacent to the proposed single-family homes are proposed to be two stories high stepping up to three stories towards the interior of the site. Effectively, as the development moves away from the existing residential uses and towards the transportation and commercial uses, the height of the buildings increase.

**Land Use Policy LU 1.12:** To maximize to the extent feasible, play areas and open spaces shall be located to avoid conflict between residents attempting to reach these facilities and vehicular traffic.

**Analysis:** The project implements this goal by providing the open space in a courtyard area and directly adjacent to the community building. Primary access to the courtyard and play areas are through pedestrian paths located throughout the development.

**Land Use Policy LU 1.23, and 1.24:** The proposed project is compatible with these land use policies which state, "A variety of unit types and sizes shall be encouraged within each multi-family project" (LU 1.23) , "Multi-family housing shall be designed to accommodate the needs of families and children (LU 1.24)".

**Analysis:** The project is being designed to accommodate fifteen (15) studio units, thirty-nine (39) one bedroom, one-bathroom units, thirty-nine (39) two-bedroom, one-bathroom units, and thirty-nine (39) three-bedroom, two bathroom units for a total of 132 residential rental apartments. The apartments range in size from 568 SF to 1114 SF. Each dwelling unit will also be provided with a private patio area for the use of the residents. A sizeable community building is proposed with laundry facilities, a computer room, and a clubroom. Exterior elements include play structures, social zones and a barbeque area. The site design creates opportunities to informally gather in public seating areas throughout the development. The outdoor space is located to provide a safe area for children by screening the area from public view (from the street) making the major outdoor space more secluded and private yet, highly accessible for the residents.

- **Zoning Regulations:** The proposed project is a rezoning from C-C (CSPC) and R-1-6 (CSPC) to Planned District P2003-200 and P. As previously discussed, the proposed Planned District is consistent with the existing General Plan density of 27-35 units per acre and with General Plan goals and policies. The Zoning Ordinance provides standards for area, coverage, density, yard requirements, parking and screening for Planned District uses shall be governed by the standards of the residential, commercial or industrial zoning districts most similar in nature and function of the proposed P District use(s) as determined by the applicable ordinances and law of the city. Exceptions to these standards by the Planning Commission and City Council are possible when the bodies find that such exceptions encourage a desirable living environment and are warranted in terms of the total proposed development or result thereof. Although the applicant proposes a Planned District, the R-G zoning development criteria is considered in evaluating the proposed project for general conformity with City standards.

The applicant is requesting modifications from the Fremont Municipal Code (FMC) and Council-adopted Development Policies in terms of siting requirements and setbacks (Sec. 8-2805). Staff believes that the current site, architecture, grading, and landscape plans have adequately addressed staff comments and

concerns; that effective conditions of approval have been incorporated to resolve any remaining, outstanding issues; and that the project, as conditioned, merits all proposed deviations from the Fremont Municipal Code.

The proposal is consistent with the height regulations contained in the R-G district, with principal structures a maximum of 45 feet (mid-point) and accessory structures not exceeding 12 feet (midpoint). The 2 and 3 story residential structures range from approximately 38' to 45' in height (to roofline); the community building is proposed to be 28' in height, the carports and trellised 'social zone' areas all meet the 12' height requirement. Height regulations for primary buildings were used to assess the community building height limitations.

The proposed project meets the total open space requirement of 50% in that the project proposes a total of 52 % of open space. The proposed project meets the requirement for minimum size of private open space.

Required building setbacks between buildings and a public street ROW – 20' for one- two story buildings, and 25' for over two story buildings. These are two setbacks for which this project is deficient under the regulations. The setbacks along Baine Avenue are deficient by 5 feet and 10 feet along Maple Street. The setback reductions are appropriate for this location as it allows for the buildings to be located closer to the street, encouraging a desirable housing environment and creates connectivity with the neighborhood and enhances the existing community character and pattern of development.

- **Planned District Justification and Analysis:** The applicant is proposing the Planned District zoning in order to allow the development of the site at a density that is over Step 1 or 12 units. Section 8-21810 of the FMC states that such increases in density shall only be allowed when a proposed project contains certain amenities that the Planning Commission and City Council find to be in excess of those required for standard development. The amenities proposed with this project as justification for the Planned District rezoning and higher density, in accordance with Section 8-21811(e) of the FMC, are:

- The incorporation of affordable units as part of the project. The multi-family portion of the development is rent restricted for affordable housing. The affordable apartments will be restricted to households earning 30%, 40%, 50% and 60% of Alameda County's median income for a period of at least 99 years. According to the applicant, the apartment complex will be professionally managed by a third-property management company approved by the Office of Housing and Redevelopment and will provide multiple management and maintenance staff members who will work and live on site.
- A 4264 SF recreational / community building is proposed which will include a large club room, laundry room, a computer room, office areas for leasing staff, restrooms and a receptionist area.
- Spaces near the community building include a social zone with a trellis and several benches for seating, a barbeque, a tot-lot for children ages (2-5) and an adventure play area (ages 5-12). A large turf area is also integrated into the design with access paths throughout the development.
- Overall high quality architecture, landscaping, and hardscaping are proposed.
- Section 8-21811(d) of the FMC further states:

*"Standards for area, coverage, density, yard requirements, parking and screening for P district use(s) shall be governed by the standard of the residential, commercial or industrial zoning district(s) most similar in nature and function to the proposed P district, as determined by applicable ordinances and laws of the City [i.e. R-G – Garden Apartment Residence]. Exceptions to these standards by the planning commission and the city council are possible when these bodies find that such exceptions encourage a desirable living environment and are warranted in terms of the total proposed development or unit thereof."*

Based on the above justifications, as well as the below analysis of required findings, staff believes that the proposed project merits rezoning to Planned District to allow the proposed density level, as well as the variations to the standard R-G zoning requirements for siting and setbacks.

An overview of the required Planned District Findings (per FMC Sec. 8-21813) and staff comments are provided below for Planning Commission review. These findings are further incorporated into the Findings and Conditions of Approval (Exhibit "C") for the project. Findings are as follows:

- (a) The proposed "P" district, or a given unit thereof, can be substantially completed within four years of the establishment of the "P" district.

Staff Comment: The project can be completed within this period of time.

- (b) Each individual unit of development, as well as the total development can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under another zoning district.

Staff Comment: The proposed residential land use is consistent with the General Plan designation. The applicant has incorporated many features including significant landscaping and hardscaping designs, high quality design and construction for the residential units, and an affordable housing component. Staff believes that the project will have a beneficial effect that could not be achieved under the standard R-G zoning district.

- (c) The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the "P" district.

Staff Comment: A traffic study was conducted and concluded that the overall evaluation of the intersection level of service, signal warrants, and vehicle queuing showed that the project would have no significant impact on traffic conditions off-site. No mitigation measures are required. The proposed project will install complete street improvements along the project frontage.

- (d) Any proposed commercial development can be justified at the locations proposed to provide for adequate commercial facilities of the types proposed.

Staff Comment: The proposed project is a residential project, and this finding is not applicable.

- (e) Any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the precise site plan, in accord with adopted policy of the Planning Commission and City Council.

Staff Comment: Through the Planned District process, the applicant is requesting approval of modifications to the Zoning Ordinance. As discussed previously, the applicant has incorporated many features that warrant an exception to the standard ordinance requirements.

- (f) The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.

Staff Comment: The area surrounding the development is fully developed.

- (g) The "P" district is in conformance with the General Plan.



Staff Comment: The project conforms to the General Plan density, as well as the goals and policies of the Land Use and Housing Chapters. This finding can be made.

(h) That existing or proposed utility services are adequate for the population densities proposed.

Staff Comment: The site is well served by utilities. None of the responsible utility companies have stated they will be unable to provide the required services to the site.

**Architecture:** According to the applicant, the proposed multi-family portion is a contemporary version of the “cottage style” while using modern materials and details. The project incorporates large patios, which help tie the project to the street and open space areas. The exterior of the buildings is proposed to be hardiplank horizontal siding with raised wood trim at the windows. The buildings will be accented with wood trellises, board and batten detailing, decorative chimney elements and shutters. The overall forms of the structures also include a large amount of detailing, variation, and articulation at all elevations, which will provide interesting views from all angles while also breaking up the massing of the structures. Asphalt shingles are proposed for the roofing material. Various conditions of approval have been included to ensure that all architectural details are compatible and consistent.

The applicant has provided an elevation illustrating an alternate design for the buildings facing Maple Street based on staff and Planning Commission comments. According to the applicant, the Maple Street Scene Alternate enables the apartments facing Maple St. to have stronger individual identification and size the structures to a lower scale. Portions of the patios have been incorporated to create individual covered porches for each unit. Varying designs (gable and shed roofs) for each unit have been designed to minimize repetition and create the effect of individual town homes and residences. A variation in color schemes also further identifies separate homes. Single story porches scale down the overall structure so that there is 1, 2 and 3 story portions with the 3 story portion located furthest from Maple Street. Individual fenced front yards are also provided to reinforce the separation of individual units and yield a town home effect. Staff recommends approval of this Maple Street Scene alternate as labeled in the exhibits.

- **Open Space/Landscaping:** The applicant has proposed 52 percent open space, including patios and balconies, which is above the standard 50 percent requirement of Section 8-2805(e) of the R-G zone of the FMC.

Staff has worked with the applicant to refine the overall landscaping planting plan to its current form. Concepts include:

- Planting of street trees along Baine Avenue, Maple Street and Hansen Avenue. Street trees include Chinese Hackberry and Sawleaf Zelkava.
- Canopy trees (over 30' in height) including Red Maple, Red Horsechestnut, and Southern Magnolia are scattered throughout the site, in parking areas and along pedestrian paths. Theme trees such as Eastern Redbud, Australian Willow and Purple Leaf Plum and accent trees such as Saratoga Laurel, Flowering Cherry and Crape Myrtle are proposed to be planted along the path leading to the turf play area and community building.
- A turf area, tot-lot, adventure play area, social zone with a trellis and benches are also proposed. Programmed seating areas are proposed in the barbeque area near the community building.
- Podium level terraces are proposed with concrete pavers, benches and potted plants. These terraces will as entries from Baine Avenue to the apartment building as well as connectors to the central open space area.

**Existing Trees:** The project site has forty-two existing trees. The applicant commissioned an arborist to prepare a tree survey report that includes a preliminary review of tree condition. Additional arboricultural

analysis and specifications will be required to evaluate the applicants plan to preserve one California Pepper tree and relocate two other trees (one California Pepper and one Southern Magnolia tree.) In addition to the forty-two trees, the report included eleven trees that are off-site, but may be impacted by a proposed masonry wall on the southwest property line.

Of the forty-two site trees, 3 are fruit trees and one is less than 6" DBH (Diameter at Breast Height), the standard for measurement of diameter. Therefore, the City Tree Preservation Ordinance only applies to thirty-nine trees on this site. All trees that are approved for removal under the ordinance are required to be mitigated with a minimum 24" box size tree. On development projects, the mitigation must be above and beyond the landscape already required in the Planned District. The ordinance requires tree removal and mitigation to be recommended by the City Landscape Architect for approval by the Planning Commission and City Council on Planned District Developments.

#### **City Landscape Architect Recommendation:**

The applicant has proposed to preserve one 22" DBH California Pepper tree in the City right-of-way along Baine Street. The tree is identified as tree #143 in the Tree Survey. The sidewalk is shown modified on the plans to accommodate the preservation. Further analysis of this solution will be conducted to verify that the tree will be adequately preserved in this proposed configuration. An arborist analysis will be conducted during the Development Organization process and any alternative right-of-way configuration will be subject to the approval of the City Engineer. The possibility exists that the curb line may need to move toward the street along Baine Street. A condition has been added to this project related to the preservation of tree #143.

The applicant has proposed to relocated one multi-trunk (Combined DBH of 30") California Pepper Tree (#141), and one 21" DBH Southern Magnolia tree (#159). This Magnolia tree is incorrectly identified in the project exhibits as tree #135. Tree location is often a difficult task with trees of this size and will require an exceptionally detailed relocation plan prepared by an arborist certified by the International Society of Arboriculture, subject to the approval of the City Landscape Architect. At a minimum, the trees will have to be boxed with a 16-foot rootball subject to further analysis by the arborist. Relocation methods with large mechanical spades are not suitable for trees this large. If successful, this relocation of two trees will be a major asset to the project. The Pepper Tree is proposed to be located along Baine with the other preserved in place Pepper discussed above. The Magnolia Tree is proposed to be located at the corner of Maple and Baine streets. The Magnolia is the highest quality and healthiest tree of all the trees on the site and is most suited to withstanding the shock of transplanting.

As in all tree locations there is no guarantee for success. Staff recommends that if the applicant follows an approved relocation plan and the tree fails at no fault of their own, as determined by an arborist selected by the city, that they not be held liable for the appraised value of the tree. If the two tree relocations fail under optimum conditions, the applicant shall only be required to replace them with 24" box trees. A condition has been added to this project related to the relocation of tree #141 and tree #159.

The remaining thirty-six trees on the site are rated moderate and poor in relation to their suitability for preservation, with the exception of four small Holly Oaks and one small Hollywood Juniper that are rated good. Staff recommends approval for removal of all thirty-six trees. In establishing mitigation for these trees, staff recommends that the Planning Commission take into account the exceptional effort the applicant is making in the preservation and relocation of three large trees. Since the Planned District application requires full landscaping of the site, including trees, staff recommends an alternative to the standard mitigation of thirty-six additional 24" box trees. The applicant has agreed to make thirty-six required street trees on the project 24" box size rather than planting additional trees on a project. Staff supports this as mitigation in light of the other tree preservation efforts and because this project will have exceptional tree cover as it is proposed in the exhibits. A condition has been added to this project related to the mitigation of thirty-six trees.

- Parking:** Section 8-22003(2) of the FMC requires two parking spaces per unit for multi-family projects; one covered plus 0.5 uncovered for residents, and 0.5 uncovered for guests. In lieu of two parking spaces per apartment unit the project proposes 1.5 parking spaces per studio apartment unit and the required 2 parking spaces for one bedroom, two bedroom and three bedroom units. A total decrease of 21 spaces from the FMC requirements is proposed based on the 1.5 space calculation. The applicant is required to have 264 parking spaces, yet 244 spaces are provided, a ratio of 1:84: 1 or reduction of 20 spaces. The affordability covenants associated with the apartment complex allows the applicant to restrict occupancy in the studio units to no more than one person per apartment unit. The applicant also has a significant history and data resource of the actual parking used at projects with identical type of residents that yield an actual usage significantly lower than the actual provided in the proposed design. Furthermore, the proximity of the site to rapid transit and rail stations will decrease the need for second cars by the residents. Additionally, while not allowed to be used in the calculation of on site parking, the project creates 39 spaces of additional off site parking that presently does not exist. The creation of additional street parking is achieved by the applicant dedicating 17 feet along Baine Avenue. The applicant will fully improve Baine along both sides of the street, creating street parking that is not currently available to the neighborhood. It is not anticipated that the residents of the apartment complex will regularly utilize the street parking however, it will provide relief to the neighborhood should street parking become overcrowded in the future from neighboring land uses. The widening of the street and additional parking will also assist the neighboring Montessori school located on Baine Avenue as parents and visitors may not have adequate parking availability. As such, staff recommends the proposed parking proposal is satisfactory.
- Circulation/Access Analysis:** Hansen Avenue, Maple Street, and Baine Avenue surround three sides of the project site. The single-family homes portion of the project is oriented towards Hansen Avenue. Although the single-family homes will be returning for a Precise Planned District, the applicant has proposed all pedestrian and vehicular access for these detached units to be from Hansen Avenue. The multi-family portion of the project has frontage on both Maple Street and Baine Avenue. The Maple Street frontage is proposed to have several pedestrian connections into the two buildings that face Maple Street and one pedestrian pathway, between the two buildings, that connects to the onsite pedestrian circulation pathways. No vehicular access is proposed on Maple Street, although on-street parking is permitted within the Maple Street right-of-way.

Vehicular access to the multi-family units is proposed via two new driveways on Baine Avenue. The driveways are approximately 150 feet and 530 feet from the Maple/Baine intersection. On-site vehicular circulation consists of a drive aisle loop connecting the two driveways. Pedestrian access from Baine Avenue is provided by connections to the public sidewalk near both driveways and one building entrance near the east side of Building C, as seen on sheet L-1.0.

In addition to the surface parking and drive aisles, the multi-family portion of the project is proposing a partially subterranean parking under Building C (Landscape Plan). Two ramps, with proposed maximum slopes of 15%, connect to the surface drive aisles at the north and east end of the L-shaped Building C. The underground parking will be reserved for residents and each entrance will be equipped with a gate. Pedestrian access to the underground parking is provided via two stairwells with elevators.

- Street Improvements:** The project site has frontage on three existing public streets: Hansen Avenue, Maple Street, and Baine Avenue. Street improvements are required for each street frontage. The following describes the required improvements and street right-of-way dedications (if any) for each street.
  - Hansen Avenue** is designated a collector street in the Centerville Specific Plan and in the General Plan. In the past, Hansen was planned as an industrial/commercial collector street with an ultimate 64-foot right-of-way width. Because the uses with this project, and (Subarea 4) in the Specific Plan, are planned residential, Hansen Avenue is more appropriately classified and improved to meet the residential collector street standard of 60-foot right-of-way width. Right-of-way dedications and street improvements are required along Hansen Avenue. Required street improvements shall include, but are not limited to,

installation of pavement, curb, gutter, landscaping, sidewalk, streetlights, fire hydrants, storm drain facilities, and undergrounding of existing overhead utilities.

- Maple Street is a collector street with an ultimate right-of-way width of 60 feet. The 60-foot right-of-way for Maple Street already exists. As encouraged by staff, the applicant is proposing to reduce the pavement width by 1 foot, while at the same time increasing the standard public sidewalk width by 1 foot to 5 feet wide. Additionally, the landscaped planter strip width will increase by 6-inches, due to moving the edge of the sidewalk to the edge of the right-of-way line. The reduction in pavement width conforms to an anticipated future proposal by staff to change City standards for public streets.
- Baine Avenue is a minor residential street bounded on the south side by Union Pacific Railroad tracks. The Centerville Specific Plan, including discussion about Subarea 4, does not specifically address Baine Avenue, but Subarea 4 and the General Plan designation is residential. The existing railroad tracks limit the potential to widen Baine Avenue to the south, therefore the project proposes to dedicate approximately seventeen feet of right-of-way to provide for a street right-of-way of forty-seven feet (exclusive of the railroad right-of-way).

The Baine Avenue pavement width shall be 34 feet, reduced from the City standard of 36 feet. This reduction, encouraged by staff, will provide for a 5-foot wide sidewalk (the current City standard is 4 feet). The developer is required to install complete street improvements over the full Baine Avenue width, including curb and gutter on the south side of Baine, consistent with improvement requirements for a frontage road.

The required street improvements are similar to those for Hansen Avenue listed above. There is an existing Pepper tree proposed for preservation within the future Baine Avenue right-of-way, near the west end of Building C (Landscape Plan). In order to successfully preserve this tree, the street improvements within proximity to the tree might need adjustment. Staff will work with the applicant to provide adequate street design details to preserve this tree, subject to approval by the City Engineer. Because the proposed street improvements are modifications from the current City standards, the Planned District application includes specific conditions of approval related to the required street right-of-way dedications and street improvements. Conditions of approval for each street are included in Exhibit C.

**Other street improvements:** This development would benefit from the installation of sidewalks along Baine and Hansen to Dusterberry, which are currently missing along some property frontages. Traffic circulation could also be improved if the existing Baine Avenue cul-de-sac at Dusterberry were opened to allow for a right-hand turn to enable traffic to proceed to Thornton and on to major freeways. These two areas of concern have been identified by the neighborhood as important to address. However, the City currently does not possess the right-of-way along property frontages to complete the sidewalks. Furthermore, a funding source to complete the work has not been identified.

- **Grading / Topography:** The project site is approximately 5.4 acres in size, of which approximately 2.4 acres is improved with two single-family detached homes and a commercial building with a parking lot. The remaining 3 acres are vacant. The applicant is proposing to demolish the existing on-site improvements to accommodate this project.

The site is relatively flat, with surface elevations that vary between 53.7 feet at Maple Street down to 48.5 feet along the western boundary, next to the Montessori School. Finished floor elevations for all buildings are approximately 3 feet above grade, except for Building 1, which has underground parking. The underground garage finished floor elevation for Building 1 is approximately 5 feet below grade.

The project civil engineer has proposed some fill along the western boundary, between the multi-family units and the Montessori School. Additionally, there is some grade differential between the multi-family and single

family units. In these areas, a retaining wall is incorporated into the split-faced block wall. The project engineer has estimated a maximum retained soil height of 1.5 feet.

The project civil engineer has estimated the overall grading quantities for the project to be 8,500 cubic yards of cut, mostly from the underground parking structure, and 8,500 cubic yards of fill. Staff is unsure from the plans whether building pads and landscaped berms will equal the estimated fill quantity of 8,500 cubic yards or whether some material will require off-haul. Because the proposed grading exceeds 1,000 cubic yards, a Preliminary Grading Plan application, subject to Planning Commission review and approval, will be required along with the Tentative Tract Map application. Further details regarding estimated quantities and grading design will be provided with the Preliminary Grading Plan.

- **Drainage:** Existing storm drainage facilities for this project consist of storm drain pipes in both Maple Street and Hansen Avenue. As part of the required street improvements to Baine Avenue, the developer will install a new storm drain from Maple Street to the western boundary of the site. This storm drain will be sized to accommodate future development along the remainder of Baine Avenue, west of the project site. The Alameda County Flood Control and Water Conservation District has provided preliminary review comments dated March 10, 2003. The project drainage system shall be reviewed and approved by the City Engineer prior to final map approval.

The on-site storm drain system for the multi-family portion is proposed as a series of typical catch basin inlets and underground pipes. Additionally, the applicant is proposing to install approximately 1,100 linear feet of bioswales (grassy swales) and micro-detention basins on the multi-family site. The bioswales serve to convey storm water while at the same time providing the opportunity for treatment of storm water runoff, which can carry pollutants, especially from parking lots. The project engineer has proposed the use of zero-inch curbs along the north and west boundary of the parking lots. The zero-inch curbs, with wheel stops affixed to these curbs, are designed to allow storm water runoff to flow from the parking lot into the bioswales. Conditions of approval for the design, operation, and maintenance of the bioswales shall be included with the future Preliminary Grading Plan application. The grading and drainage design for the single-family homes portion will be in accordance with City Standards subdivision design and practices.

- **Urban Runoff Clean Water Program:** The Federal Clean Water Act of 1972 and Water Quality Act (1987) require localities throughout the nation to obtain a National Pollutant Discharge Elimination System permit (NPDES) in order to discharge storm water into public waterways such as creeks, rivers, channels and bays. Adopted regulations require discharges of storm water associated with new development and construction to submit a Notice of Intent (NOI) to the State of California for activities disturbing more than one acre of land. The NOI is to include the development and implementation of a storm water pollution prevention plan emphasizing best management practices. The applicant will comply with the City's Urban Runoff Clean Water

#### **Applicable Fees:**

- **Development Impact Fees:** The project will be subject to Citywide Development Impact Fees. These fees may include fees for fire protection, park dedication-in-lieu, park facilities, capital facilities and traffic impact. These fees shall be calculated at the fee rates in effect at the time of building permit issuance. The applicant will be entitled to a fee credit for commercial multi-tenant structure and car wash which were previously located on the site as well as the existing single-family house. Since this is an affordable housing development consisting of at least 49% regulated as affordable, the applicant will also be eligible to defer the payment of development impact fees to certificate of occupancy, as opposed to the time of building permit application.
- **Planned District Amenity Fees:** Planned District amenity fees would normally be applicable to this project for the twelve units above Step 1 density. Total amenity fees for this project calculate to \$100,800 (\$8,400 X

12 units). Amenity fees, however, are not required for increases in density for low or moderate income housing units.

**Recycling & Waste Management:** This project involves residential construction and shall be subject to the provisions of the California Integrated Waste Management Act of 1989 (AB939). The Act requires that 50% of the waste generated in the City of Fremont be diverted from landfill sites by the year 2000. Additionally, the project is subject to the City's Source Reduction and Recycling Element (1992), an Integrated Waste Management Ordinance (1995), and a Commercial/Industrial Recycling Plan (1997). These documents require that any new project for which a building permit application is submitted to include adequate, accessible, and convenient areas for collecting and loading trash and recyclable materials. The applicant is proposing three trash enclosures for the development located off the main access drive. A condition of approval has been added requiring the applicant to work with staff during the Development Organization Process on the final siting of the trash enclosures.

**Environmental Analysis:** As mentioned earlier in the report, proceeding discussion and the section under General Plan Conformance assumes that the City Council approved the General Plan Amendment and Mitigated Negative Declaration as recommended by the Planning Commission on May 22, 2003. The City Council will consider the General Plan Amendment and Specific Plan Amendment and Draft Mitigated Negative Declaration on Tuesday, June 24, 2003 while the Planning Commission is considering the Planned District applications on Thursday, June 26, 2003. This report was drafted prior to both meetings.

The Mitigated Negative Declaration included mitigation measures, which, if implemented, would reduce the identified impacts to non-significant levels. These mitigation measures have been included as conditions of approval for this project.

- **Vibration Study:** The applicant will continue to work with staff to determine the appropriate mitigation measures to address the anticipated vibration levels. A series of mitigation measures were listed in the Mitigated Negative Declaration ranging between increasing setbacks to changes in the building's standard design. Staff will continue to work with the applicant and a vibration consultant to determine which mitigation measures will be implemented that would allow for a vibration level that is minimally perceptible and not intrusive to all units in the subject property. Should the mitigation measures cause substantial changes to the approved building design or site plan, the applicant will be required to return to Planning Commission and City Council an amended for approval.

**Response from Agencies and Organizations:** No outside response or comment had been received at the time of publication of this report.

<b>Enclosures:</b>	Exhibit "A"	Site, Architecture, Landscape Plans, and Tree Survey
	Exhibit "B"	Rezoning
	Exhibit "C"	Planned District Findings and Conditions of Approval
	Informational	Planned District Justification Statement

<b>Exhibits:</b>	Exhibit "A"	Site, Architecture, Landscape Plans, and Tree Survey (Staff Amended – Sheets labeled as informational: SP 2.0, L-1.0, L-3.0, L-3.1, - Landscaping details for single-family, C 1.0 Preliminary Grading plan, C 3.0 Sections and Details, Sheets A-12.0- A-21.0)
	Exhibit "B"	Rezoning
	Exhibit "C"	Planned District Findings and Conditions of Approval
	Exhibit "D"	Color and Material Sample Board

**Recommended Actions:**

1. Hold public hearing.

2. Find PLN2003-00200 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use, Housing Chapters as enumerated within the staff report.
3. Recommend PLN2003-00200 to the City Council in conformance with Exhibit "A" Site, Architecture, Landscape Plans and Tree Survey (Staff Amended), Exhibit "B" (Rezoning Exhibit), Exhibit "C" Planned District Findings and Conditions of Approval.

**EXHIBIT "C"**  
**Findings and Conditions of Approval for**  
**PLN2003-00200**  
**Maple Street Residential Community**

**FINDINGS**

- (a) The proposed "P" district, or a given unit thereof, can be substantially completed within four years of the establishment of the "P" district.
- (b) That each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under another zoning district because the Planned District process provides for modifications to the zoning standards which result in a superior project, as conditioned.
- (c) That the streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and the project will not generate traffic in such amounts as to overload the street network outside the "P" district because the traffic consultant concluded that the overall evaluation of the intersection level of service, signal warrants, and vehicle queuing showed that the project would have no significant impact on traffic conditions off-site.
- (d) That any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the precise site plan, in accord with adopted policy of the Planning Commission and City Council. Based on the incorporation of superior architecture and landscaping, and the inclusion of an affordable housing component, this project, as conditioned, is found to meet this requirement.
- (e) That the area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development. This is an infill development, and all of the other land surrounding this site has already been developed.
- (f) That the "P" district is in conformance with the General Plan of the City of Fremont. The project conforms to the General Plan land use designation of High Density Residential (27 to 35 dwelling units per acre) and is consistent with and implements the goals and policies of the Land Use and Housing Chapters of the General Plan.
- (g) That existing or proposed utility services are adequate for the population densities proposed. The site is well served by utilities. None of the responsible utility companies have stated they will be unable to provide the required services to the site.
- (h) All public improvements or facilities required as a part of this approval are directly attributable to the proposed development, and are required for reasons related to public health, safety and welfare.

**CONDITIONS**

**General Conditions**

- A-1 The project shall conform to staff amended Exhibit "A" (Site, Architecture, and Landscape Plans), Exhibit "D" (Color and Material Sample Board), and all conditions of approval set forth herein. The maximum number of units shall not exceed 132 units, and shall be generally distributed as shown in Exhibit "B". This approval includes a Preliminary Planned District for the single-family portion



of the development. The applicant is required to receive Precise Planned District approval for the single-family portion prior to issuance of building permits for the multi-family portion.

- A-2 Plans shall be submitted to the Development Organization for review and approval to ensure conformance with relevant codes, policies, and other requirements of the Fremont Municipal Code.
- A-3 Minor modifications to the approved building designs, elevations and colors may be made, subject to review and approval of the Assistant City Manager or his/her designee if such modifications are in keeping with the architectural statement of the original approval. However, the Assistant City Manager shall retain the authority to determine the level of review required, including a Planning Commission review.
- A-4 The project shall be subject to all Citywide development impact fees. These fees may include, but are not limited to, fees for fire protection, park dedication, park facilities, capital facilities and traffic impact. The fees shall be calculated at the fee rate in effect at the time of building permit issuance. The applicant will be entitled to a fee credit for commercial multi-tenant structure and car wash which were previously located on the site as well as the existing single-family house. Since this is an affordable housing development consisting of at least 49% regulated as affordable, the applicant will also be eligible to defer the payment of development impact fees to certificate of occupancy, as opposed to the time of building permit application.
- A-5 All provisions of the Mitigated Negative Declaration are incorporated into these conditions of approval. These provisions include:

#### **MITIGATION MEASURES INCLUDED IN THE PROJECT TO AVOID POTENTIALLY SIGNIFICANT IMPACTS:**

**Aesthetics – Mitigation #1:** To ensure that there are no impacts to adjacent properties, on-site light fixture design, height, intensity and direction shall be designed and oriented to ensure that there is no creation of glare or spilling of light beyond property boundaries. This shall include the use of low-intensity lights that are placed at the edges of the site and oriented inwards. Lights shall be further screened inward, as necessary, and they shall be designed to meet the minimal required foot-candle intensity for the site. Implementation of this mitigation measure will reduce the identified impact to a non-significant level.

**Air Quality – Mitigation:** To mitigate the identified air quality impacts of grading and construction, the following mitigation measures will be incorporated into the project:

**Mitigation #2:** The project shall comply with dust suppression measures. Dust generated on the project site shall be controlled by watering all exposed areas at least twice daily during excavation, and especially during clearing and grading operations. Additional watering on windy or hot days is required to reduce dust emissions. Cover stockpiles of sand, soil and similar materials with a tarp. Cover trucks hauling dirt or debris to avoid spillage. Paving shall be completed as soon as is practicable to reduce time that bare surfaces and soils are exposed. In areas where construction is delayed for an extended period of time, the ground shall be re-vegetated to minimize the generation of dust. Street sweeping shall be conducted to control dust and dirt tracked from the project site off site. A person shall be designated to oversee the implementation of dust control. In terms of demolition activities, the applicant will be required to receive the appropriate approvals from all regulatory agencies, including a “J” number from the Bay Area Air Quality Management District (BAAQMD).

**Biological Resources - Mitigation:** To mitigate the identified potential impacts of grading and construction, the following mitigation measures will be incorporated into the project:

**Mitigation #3:** Because portions of this project site will have remained fallow for some time, no earlier than thirty days prior to commencement of any site grading, discing, testing or clean-up required by project mitigation measures, a site investigation shall be completed by a qualified wildlife biologist to determine if site conditions have changed sufficiently to support burrowing owls. If burrowing owls are present, all work shall cease until the wildlife biologist has recommended appropriate actions to be taken to protect the owls. The applicant shall be responsible for the implementation of the protective actions, including relocation, prior to the commencement of any site work. The site investigation shall be subject to the approval of the Assistant City Manager.

**Cultural Resources – Mitigation:**

**Mitigation #4:** Should any human remains or historical or unique archaeological resources be discovered during site development work, the provisions of CEQA Guidelines, Section 15064.5 (e) and (f) will be followed to reduce impacts to a non-significant level.

**Geology & Soils** – The following mitigation measures will be incorporated into the project:

**Mitigation #5:** A geotechnical study shall be prepared by the applicant at the building permit review stage. The study will ensure that the structures are built to minimize potential seismic safety issues as much as possible. Typical recommendations in such a study include the importation of non-expansive fill soil for the building pads, increased foundation trenching depths done relative to a non-expansive site, and appropriate surface soil compaction.

**Mitigation #6:** All structures will conform to the appropriate sections of the Uniform Building Code.

**Mitigation #7:** Any contaminated or suspect soil excavated for site development purposes will need to be tested prior to reusing or removing soil from the site.

**Mitigation #8:** The grading and soils will be reviewed for conformance with the Grading Ordinance of the Fremont Municipal Code at the Development Organization review stage.

**Mitigation #9:** Implementation of appropriate erosion control measures during construction will minimize the amount of sedimentation leaving the project site and reduce the significance of such erosion.

**Hazards and Hazardous Materials** – To mitigate the identified impacts, the following mitigation measures will be incorporated into the project:

**Mitigation measure #10:** All existing facilities that will be converted to another use, shall be remediated to a level acceptable to regulatory agencies of any reported hazardous materials and properly closed as required by regulatory agencies prior to the issuance of building permits. The applicant, on-site contractors, agents or representatives, shall immediately notify the Fremont Fire Department, Hazardous Materials Unit of any underground pipes, tanks or structures; any suspected or actual contaminated soils; or other environmental anomalies encountered during site development activities. Any confirmed environmental liabilities will need to be remedied prior to proceeding with site development.

**Mitigation measure #11:** Excavated soils, known to be contaminated, shall be characterized prior to off-site disposal or reuse on-site. Any contaminated or suspect soil excavated during site development will need to be segregated and tested prior to reusing or removing the soil from the site.

Due to the future residential use of the property SCS recommends removal of the phenol-impacted soils exceeding residential RBSL's (Residential Risk-Based Screening Level). Alternatively, a human health risk assessment could be performed to further evaluate the risks associated with phenol.

**Mitigation measure #12:** The project will also require site approval, during development, to ensure that the design layout and construction of buildings will not interfere with any emergency response plans or emergency evacuation plans or a health hazard.

**Mitigation measure #13:** Asbestos and lead based paint will be handled in compliance with statutory requirements.

#### **Hydrology and Water Quality – Mitigation:**

**Mitigation #14:** Standard water pollution and erosion control measures following Best Management Practices will be implemented to prevent runoff and sedimentation from entering the channel. Emphasizing storm water Best Management Practices (BMP) intends to achieve compliance with the goals of the Alameda Countywide Clean Water Program (ACCWP), in conformance with the Federal National Pollutant Discharge Elimination System (NPDES) program established by the Clean Water Act.

**Noise** –Mitigations measures include the following:

**Mitigation #15:** Frames of windows and glass sliding doors must be caulked with resilient sealant to provide an airtight seal. Also, a bead of resilient caulking must be applied to window casings before installation.

**Mitigation #16:** The minimum STC for all windows of bedrooms facing Baine Avenue where maximum instantaneous level of interior noise of 50 dBA is allowed is 45 STC points. Other rooms in the units, where the maximum instantaneous level of interior noise not to exceed 55 dBA can be fitted with windows having an STC rating of 40 points or better.

**Mitigation #17:** An alternative to using heavy acoustic windows to achieve the required STC 45 and 40 performance would be to install a double set of exterior windows and/or sliding doors with medium STC ratings in the order of 26-29 points and a separation of 4" to 6" between window assemblies.

**Mitigation #18:** In order to have an exterior wall design which does not compromise the sound isolation to be provided by the exterior windows, either the outside cladding is to be made out of a heavy material such as 7/8" layer of cement stucco or the interior gypsum layer is to be attached to resilient channels (RC channels), or both. If the exterior wall cladding is made out of EIF or Fiber Cement Boards, RC channels will also be necessary.

**Mitigation #19:** As the interior noise criteria can only be met with exterior windows and doors in the closed position, the units should be provided with a ventilation system which provides adequate airing such windows may be kept closed at the discretion of the occupants in order to control exterior to interior noise transfer. Such system must not compromise the sound isolation rating of the building shell.

**Mitigation #20:** In order to mitigate noise entering the units through exhaust vents, use a minimum 5' of insulated flexible air duct in all exhaust vents.

**Mitigation #21:** No attic ventilation louvers should be facing areas of high exterior noise, preferably. Otherwise, all attic ventilation louvers must be fitted with an acoustic plenum internally lined with 2" thick acoustic plenum liner.

**Mitigation #22:** Hours of construction shall be limited to 7 a.m. to 6 p.m. Monday through Friday, and 9 a.m. to 6 p.m. Saturday. No construction shall be permitted on Sundays.

### **Vibration:**

Based on the guidelines outlined by the FTA, the ground-borne vibration may exceed the dBV levels. The following mitigation measures applied in combination will bring the vibration level to a level that is minimally perceptible and not intrusive to all units in the subject property.

**Mitigation #23:** Increase the setback to the tracks to an appropriate distance to a vibration level that is minimally perceptible and not intrusive to all units in the subject property. Currently, as measured the typical 76-79 dBV measured at 80' setback from the tracks drops down to about 69-74 dBV at a setback of 160' and to about 63-67 dBV at 320'. Setbacks should be considered based upon credible and reasonable analysis of train scenarios, taking into account train, size, type, speed and frequency.

**Mitigation #24:** In order to minimize the amplification effect, the natural resonance frequency of floors can be increased by using deeper joists than the typical 2" x 10" or 2" x 12". This mitigation measure is commonly known as floor stiffening. Alternatively, floor/ceiling assemblies could be built using concrete and steel framing instead of wood.

**Mitigation #25:** The mass of the foundation could be increased to produce a larger coupling loss effect between it and the soil. In addition, the perimeter of the foundation (the entire building footprint) can be mechanically isolated from the surrounding soil by means of a lightweight material such as a 4" thick layer of Styrofoam so as to introduce a barrier break for vibration waves close to the surface and to support the building from a point as deep as possible into the ground where surface-generated vibration is slightly lower than close to the surface.

**Mitigation #26:** Supporting the structure on piles instead of spread footings could be an option for mitigation, but this alternative would also require a significant stiffening of the floors so as to minimize resonance amplification.

**Mitigation #27:** A base isolation consisting of introducing natural rubber bearing pads at each supporting point of structure could also be used as a mitigation method. The design would have to include precompressed lateral restraint pads to account for seismic activity. In addition, stiffening of the floor and the foundation will also be necessary so as to not to compromise the isolation potential of the rubber bearings.

**A-9** The applicant will continue to work with staff to determine the appropriate mitigation measures to deal with the anticipated vibration levels. A series of mitigation measures were listed in the Mitigated Negative Declaration ranging between increasing setbacks to changes in building design. Staff will continue to work with the applicant and a vibration consultant to determine which mitigation measures will be implemented that would allow for a vibration level that is minimally perceptible and not intrusive to all units in the subject property. Should the mitigation measures cause substantial changes to the approved building design or site plan, the applicant will be required to return to Planning Commission and City Council for approval.

### **Site Planning**

- B-1 The parking configurations and dimensions shall conform to the City's standards and Ordinances and shall be reviewed as part of the Development Organization review process. The parking garages and carports shall be reserved for car parking and shall not be used for storage.
- B-2 The street lighting illumination level for the private vehicle access ways shall meet public roadway standards.

- B-3 Lighting associated with the project area shall be subject to staff review and approval during the Development Organization review process, and shall be of a pedestrian scale, and residential and decorative nature.
- B-4 The final siting of the trash enclosure shall be subject to staff review and approval during the Development Organization review process.
- B-5 All mechanical equipment, such as backflow preventers and A/C units, shall also be located so as not to be visible from any public or private right-of-way, subject to staff review and approval.
- B-6 Final wall details shall be required prior to approval of the tentative map. Walls shall also be designed so as not to create unused spaces between the wall and any adjoining fences or structures.

### **Building Design**

- C-1 All mechanical equipment (i.e. air conditioning units or similar) shall be screened from view from adjacent public and private rights-of-way, on-site parking, and neighboring residential properties.
- C-2 Final building design, colors and materials shall be consistent with Exhibit "B" (Site, Architecture, Grading, and Landscape Plans) and Exhibit "D" (Color and Material Sample Board), subject to staff review and approval during Development Organization review. The applicant shall work with staff on defining architectural details and materials, and on the final choice of colors.
- C-3 Raised trim shall be provided at all exterior windows and doors, subject to staff review and approval. The trim shall be natural wood or painted wood, and shall not be stucco or stucco-covered foam.

### **Landscaping**

- D-1 Branches from mature trees may not overhang buildings and roofs. Adequate space to plant trees adjacent to buildings must be provided in the following minimum ways:
  - a. Small trees (to 15 feet tall) no closer than six feet from building with a minimum planting area 5 feet wide.
  - b. Medium trees (to 30 feet tall) no closer than ten feet from building with a minimum planting area 6 feet wide.
  - c. Large trees (above 30 feet tall) no closer than 15 feet from building with a minimum planting area 6 feet wide, preferably 8 feet wide.
- D-2 Carports may not overhang the ten feet planting area required along the property lines adjacent to parking and circulation areas.
- D-3 All above ground utility vaults will be screened with a minimum 5-feet of landscaping on all sides.
- D-4 Tree #143, *Schinus molle*, shall be preserved within the right-of-way along Baine Avenue. Landscaping beneath dripline shall be drought tolerant shrubs and groundcovers on drip irrigation. Spray irrigation will not be allowed beneath dripline of preserved tree #143. Staff will continue to work with the applicant during Development Organization regarding the sidewalk, curb and gutter design around this tree. One or two parking spaces in the street right-of-way may be eliminated to accommodate the preservation of the tree. An arborist selected by the city, at the expense of the applicant, to verify that any final design solution is compatible with adequate preservation of the tree, will conduct an analysis.

- D-5 Tree #159, *Magnolia grandiflora*, and tree #141, *Schinus molle*, are proposed by the applicant to be relocated as shown in exhibit B. These trees shall be moved with a minimum 16-foot boxed rootball and will not be stored on site for more than 24 hours before replanting. Final relocation plan shall be reviewed and approved by the City Landscape Architect with the assistance of an arborist selected by the city, at the expense of the applicant. If trees are moved without an approved relocation plan, the applicant will be subject to cash mitigation up to the appraised value of the trees should they fail or become damaged. If trees are moved in accordance to an approved relocation plan, the applicant will be subject to 24" box size tree replacement.
- D-6 Thirty-six (36) protected trees are approved for removal with the minimum mitigation. Since the capacity of the site for trees is met with the Planned District zoning, mitigation shall be to plant thirty-six required street trees at 24"-box size. Exact trees to be planted at 24" box size will be approved by the Development Organization.
- D-7 All street trees not affected by mitigation measures shall be 24 inch box size.
- D-8 All locations on Exhibit "B" within common areas that show a special paving pattern, such as at street crosswalks and other circulation areas, shall be concrete pavers. Patios, private walks, carports, and other privately owned and maintained areas may have modular pavers, or stamped, textured, and/or colored concrete, subject to staff review and approval during Final Map and/or Development Organization review.
- D-9 A landscape plan shall be submitted to the Development Organization for review and approval, indicating full details regarding (1) paving materials and textures of walkways, (2) lighting of walkways and driveways with low intensity non-glare type fixtures, (3) screening of driveways and parking areas, and (4) landscaping of site and parkway areas. As part of the landscape plan the applicant shall submit to the Development Organization:
- a. An underground irrigation plan.
  - b. Weed control specifications.
  - c. A lighting plan for the illumination of the building, driveways and parking areas. Type of lighting fixtures, their heights, intensity and direction shall be clearly indicated.
  - d. Construction details of raised planters, walkways, paths, benches, walls, fences, trellises, and other architectural features as appropriate.
- D-10 All walls shall be designed, detailed, and finished to be compatible with the proposed architecture of the project. All walls shall be heavily landscaped (on both sides if applicable). This may include vines, shrubs, and trees to minimize their visibility and to help prevent graffiti, subject to staff review during the DO process.
- D-11 The height and location of fences shall be reviewed for conformance with Zoning Ordinance requirements and compatible design during the Development Organization review process. The applicant shall work with staff to refine the details of fencing and other architectural details as necessary through this process.

### **Engineering Conditions**

- E-1 A tentative tract map application and preliminary grading plan application shall be submitted for Planning Commission review and approval, and may be subject to modifications at the time of review.
- E-2 The Developer shall dedicate right-of-way and install complete street improvements for the public streets surrounding the project site: Hansen Avenue, Maple Street, and Baine Avenue. The

following are the minimum dedication and street improvement requirements for these public streets.

- E-3 Hansen Avenue: Residential collector street with an ultimate right-of-way width of sixty-feet and a pavement width of forty-feet. A minimum ten-foot right-of-way dedication is required along a portion of the project frontage. The developer shall install complete street improvements up to the centerline of Hansen Avenue. Street improvements include, but are not limited to, installation of pavement, curb, gutter, landscaping, sidewalk, streetlights, fire hydrants, storm drain facilities, and undergrounding of existing overhead utilities. Transitional pavement and other transitional improvements may be needed at the west end of the Hansen Avenue frontage, subject to determination, review, and approval of the City Engineer.
- E-4 Maple Street: Residential collector street with an ultimate right-of-way width of sixty feet and a pavement width of thirty-nine feet. The developer shall install complete street improvements up to the centerline of Hansen Avenue. Street improvements include, but are not limited to, installation of pavement, curb, gutter, landscaping, sidewalk, streetlights, fire hydrants, storm drain facilities, and undergrounding of existing overhead utilities.
- E-5 Baine Avenue: Minor residential street with an ultimate right-of-way of forty-seven feet and a pavement width of thirty-four feet. A minimum seventeen-foot right-of-way dedication is required along the project frontage. The developer shall install complete street improvements across the entire forty-seven foot Baine Avenue width. Street improvements include, but are not limited to, installation of pavement, curb, gutter, landscaping, sidewalk, streetlights, fire hydrants, storm drain facilities, and undergrounding of existing overhead utilities. Transitional pavement and other transitional improvements may be needed at the east end and west end of the Baine Avenue frontage, subject to determination, review, and approval of the City Engineer.
- E-6 Prior to issuance of any permit for land disturbance greater than one acre, the developer is to provide evidence that a Notice of Intent has been filed with the State of California Water Resources Control Board. The developer is responsible for insuring that all contractors are aware of all storm water quality measures contained in the Storm Water Pollution Prevention Plan (SWPPP).
- E-7 The project plans shall include storm water measures for the operation and maintenance of the project for the review and approval of the City Engineer. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on site that effectively prohibit the entry of pollutants into storm water runoff.
- E-8 The design, location, maintenance requirements, and maintenance schedule for any stormwater quality treatment structural controls (including bioswales) shall be submitted for staff review and approval during Development Organization, prior to issuance of building permits.
- E-9 The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.
- E-10 All paved outdoor storage areas must be designed to reduce and limit the potential for runoff of contact pollutants. Bulk materials stored outdoors may need to be covered as determined by the City Engineer.
- E-11 The developer shall comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.
- E-12 The property owner is responsible for litter control and for sweeping of all paved surfaces.

Sidewalks, parking lots, and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged to the storm drain.

- E-13 The proposed development shall provide waste and recycling enclosures that shall be made accessible to the City's waste management contractor. The location and accessibility of the trash and recycling enclosures shall be subject to the review and approval by staff during Development Organization.
- E-14 All trash and recycling areas are to be enclosed. No other area shall drain to the enclosed area. Drains in any trash enclosure shall not discharge to the storm drain.
- E-15 All public and private storm drain inlets are to be stenciled "No-Dumping – Drains to Bay" using stencils purchased by the Alameda County Urban Runoff Clean Water Program at 951 Turner Court, Hayward, California. Alternative inlet stencils or marking may be permitted, subject to staff approval during Development Organization review.
- E-16 All on-site storm drains are to be cleaned prior to building occupancy and also be cleaned each year immediately before the beginning of the rainy season (October 15). The City Engineer may require additional cleaning.
- E-17 All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution.
- E-18 All washing/steam cleaning must be done at an appropriately equipped facility, which drains to the sanitary sewer. Outdoor washing must be managed in such a way that there is no discharge of soaps, solvents, cleaning agents, or other pollutants to the storm drains. Wash water should discharge to the sanitary sewer, subject to review, approval, and conditions of the Union Sanitary District.
- E-19 No vehicle or equipment washing activity associated with this facility shall discharge directly to the storm drains. Wash areas should be limited to areas that drain to the sanitary sewer collection system, or the wash water must be collected for ultimate disposal to the sanitary sewer, or water must be intercepted and treated prior to discharge to the storm drain system. This wash area must be covered and designed to prevent runoff from draining into and from the area. A sign must be posted indicating the designated wash area. Sanitary connections are subject to review, approval, and conditions of the Union Sanitary District.
- E-20 A structural control, such as a drop-in inlet filter or other approved equal, is to be installed within paved areas on site to intercept spills and pretreat storm water prior to discharge to the public storm drain. The design, location, maintenance schedule and maintenance responsibility are

#### **During Construction/ Grading**

- F-1 The applicant shall notify Planning staff of the construction schedule. At the time of installation of framing and prior to stucco/siding, the applicant or a representative of the applicant, shall request an on-site inspection by the project planner, to ensure compliance with the architectural detailing of the residences.
- F-2 Construction activities shall be limited to the following hours of operation:
  - 7 a.m. to 6 p.m. Monday through Friday
  - 9 a.m. to 6 p.m. Saturday



Failure to comply with the above-described hours of operation may result in the suspension of building inspections.

### **Fire Department Conditions**

The Fire Department will review plans and specifications at the tract and building permit stage to ensure compliance with all applicable codes and policies. The following conditions are preliminary and will be subject to staff review and approval:

- H-1 The applicant shall meet all requirements in the 2001 California fire code and all local amendments to that code in Ordinance #2485.
- H-2 The applicant shall install an automatic fire sprinkler system in all building and carports for fire protection purposes. Waterflow and control valves must be monitored by a central alarm monitoring system and Central Station. The monitoring system shall have a smoke detector placed over the fire panel, a pull station, and an audible device located in a normally occupied location.
- H-3 Plan, specifications, equipment lists and calculations for the required sprinkler system must be submitted to the Fremont Fire Department Authority and Building Department for review and approval prior to installation. A separate plan review fee is required. Standard Required: N.F.P.A. 13
  - a) The standard single family detached will be NFPA 13D with amendments.
  - b) The standard for multi-family apartments is NFPA13 R with amendments.
  - c) Carports and garage parking areas will be NFPA13.
- H-4 Automatic fire suppression systems in all group R-1 occupancies shall have Residential or quick response standard sprinkler heads in dwelling or guest portions of the building. The sprinkler system shall provide protection to at least all of the following areas garages, carports, bathrooms, concealed spaces, water heater closets, laundry rooms attic spaces, under walks, or overhangs, balconies or deck greater than four feet in depth, and floor landings if wholly or partial enclosed, or other areas as required.
- H-5 The applicant shall install a wet standpipe system if the building is 3 or more stories. The system may be in combination with the fire sprinkler system. There will be additional standpipe requirements in underground parking garage
- H-6 All Automatic Fire Suppression Systems Fire Department Connections shall have the following installed/provided
  - a) Address placard installed at the connection.
  - b) Knox Cap installed on every inlet.
- H-7 Prior to installation, plans and specifications for the underground fire service line must be submitted to the Fremont Fire Authority and Building Department for review and approval. Please include cathodic protection or soils report stating why protection is not required. Standard Required: N.F.P.A. 24 and N.F.P.A 14
- H-8 The applicant shall provide the Fremont Fire Department with a site plan/ Civil Utility Plan for approval of public and on-site fire hydrant locations.
- H-9 a) Applicant will be required to submit for approval a civil utility for public and onsite fire hydrants.

- H-10 The applicant shall comply with Fremont code requirements for installation of fire retardant roof coverings.
- H-11 The applicant shall provide all weather surface (paving) for emergency vehicle access within 150 feet of all construction or combustible storage. This access shall be provided before any construction or combustible storage will be allowed. CFC 902.2.1.
- H-12 All on site access and water shall be installed prior to any construction or storage is allowed.
- H-13 The applicant shall provide required fire flow (hydrants) on site prior to construction or storage of combustible materials. C.F.C 903.2 & Appendix IIIA. Fire hydrant jumper lines must be at least 6 inches in diameter. This must be completed and inspected before any construction or material storage will be allowed.
- H-14 The applicant shall have a key box (Knox brand) located outside of building/gate and provide keys to the Fire Department so they may gain access. Vehicle gates may use Knox lock or keyed over-ride switch. Gate shall also have a infrared receiver installed. Application can be obtained at Fire Administration office, 3300 Capital Ave, Fremont.
- H-15 The applicant shall install Fire alarm system as required. The system must be monitored. The system must be N.F.P.A. 72 compliant and have an interior audible device per the C.F.C. Upon completion a "UL" serial numbered certificate shall be provided at no cost to the City of Fremont Fire and Life Safety Inspector. Fire alarm systems devices shall be addressable and report to the Central Monitoring Station addressable.
- H-16 Address must always be visible from Public Street. Flag lots must have monument sign and green bott dot.
- H-17 Any/all new street names and addressing shall be approved by the Fire Department.
- H-18 A driveway access serving one dwelling/structure shall have a minimum 20 foot unobstructed width driveway/access road. The access road must provide all portions of the first floor with the required 150 feet access to the rear of the building. A driveway/ access road serving two or more dwelling/structures shall have a minimum 20 foot unobstructed width. A driveway access serving three or more dwelling/structures shall have a minimum 20 foot unobstructed linear width. These driveways/access roads shall be designated as Fire Lanes. Driveway /access roads and shall meet Fire Department standards for distance, weight loads, turn radius, grades, and vertical clearance. Approved turnarounds shall be required for distances over 150 feet from public streets. Other mitigation's shall/may be required in addition to those listed. (CFC Sec. 902.2 as amended)
- H-19 Gates across Fire Department access roads shall have a minimum 15-foot clear, unobstructed linear width and a clear vertical height of 13 feet 6 inches. All locking devices shall provide for Fire Department emergency access with Knox box, lock or over -ride switch. (CFC 2000, Sec. 902.2.4 & 902.2.1.)
- H-20 Fire Department Connections for all sprinkler system must be located not more than 100 feet from a fire hydrant. N.F.P.A 14. All inlets shall have Knox type caps installed.
- H-21 Fire hydrant spacing requirement is 300 feet. The distance is measured as the fire engine travels on all- weather surfaces.
- H-22 Building over 35' in height require fire apparatus roadways with a minimum 26' width. Set back from buildings must equal 1/4 height of the building plus a 26' roadway. Ex: 4 story 48' peak roof

divided by 1/4 = 12' setback, plus 26' roadway. If a fire hydrant is required, the road must be 26 foot wide for 20 feet on both sides of the hydrant(s).

- H-23 The applicant must immediately notify the Fremont Fire Department, Hazardous Materials Unit of any underground pipes, tanks or structures; any suspected or actual contaminated soils; or other environmental anomalies encountered during site development activities. Any confirmed environmental liabilities will need to be remedied prior to proceeding with site development.

### **Environmental Services Conditions**

- I-1 Identify total amount of impervious surface area that will be generated by the development (roofs, parking lots, driveways, private streets, walkways, etc.) on the plans submitted to the Development Organization or on forms provided for this purpose.
- I-2 Bio Swales: provide the City with the following documents for review:
- a) Sizing calculations and design detail
  - b) Operations and Maintenance plan describing how the swales will be permanently maintained, maintenance schedule, and responsible party for maintenance.

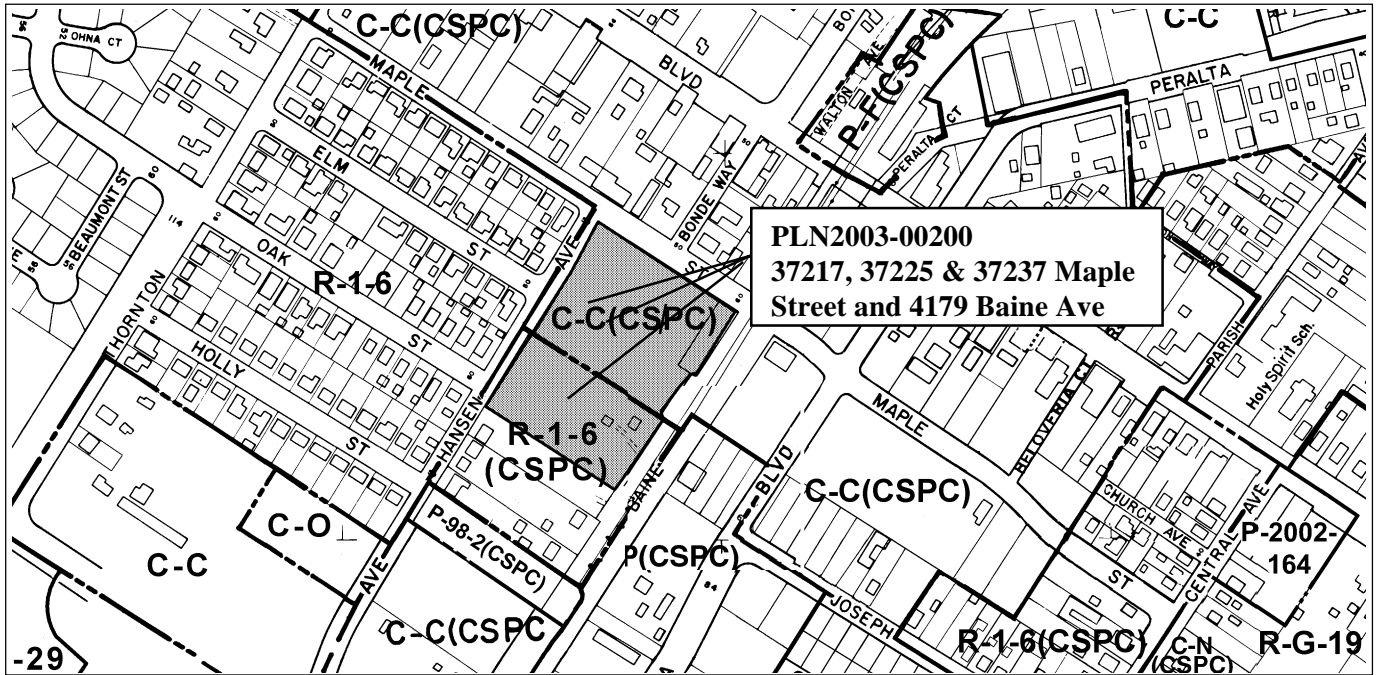
### **Trash and recycling enclosures:**

- J-1 For a multifamily complex with 132 units, the total area required in order to provide adequate exterior trash and recycling storage is approximately 672 square feet. Each enclosure must have space for at least two garbage containers of 3-4 cubic yards size each, and two sets of recycling carts, where each set requires 27 square feet.
- J-2 Each apartment in the complex must be within 240 feet of an exterior storage area for trash and recycling.
- J-3 Any roof or trellis placed over an enclosure must provide a minimum of 15 feet of clearance between the ground and the lowest point of the roof or trellis. Any roof or trellis must be set back at least 3 feet from the gate of the enclosure.
- J-4 In addition to these conditions, trash and recycling enclosures must be designed to meet all other requirements and design considerations included in the City of Fremont's Waste & Recycling Requirements document as well as all City and State codes.

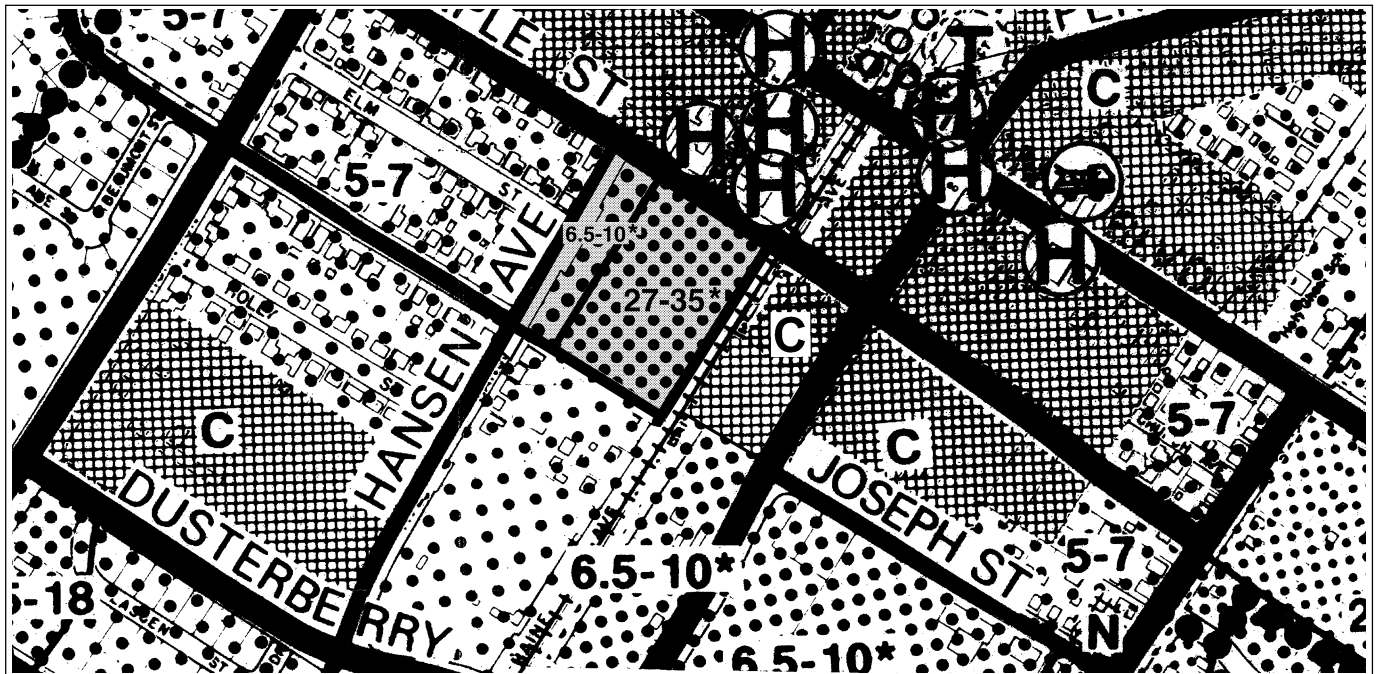
### **Construction and demolition (C & D) debris management:**

- J-5 Environmental Services Division will review the demolition and construction permit applications before permits are issued.
- J-6 Applicant must complete and file a Project Waste Management Plan with the Environmental Services Division prior to beginning any demolition or construction.
- J-7 After completing the project, the applicant must document actual salvage and diversion by filling in and returning the Post-Project Waste Disposal & Diversion report to Environmental Services.

# INFORMATIONAL



Existing Zoning

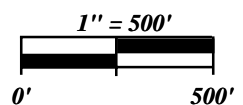


Existing General Plan

**Project Number:** PLN2003-00200 (PD)  
**Project Name:** MAPLE STREET RESIDENTIAL COMMUNITY  
**Project Description:** To consider a Preliminary and Precise Planned District rezoning from C-C (CSPC) and R-1-6 (CSPC) to a Preliminary Planned District for the single family portion and a Preliminary and Precise Planned District (P-2003-200) for the multi-family portion of the project to implement the General Plan and Centerville Plan changes on a total of 5.4 acres.



**Note:** Prior arrangements for access are not required for this site.



# EXHIBIT “B”

Attached to and made a part of

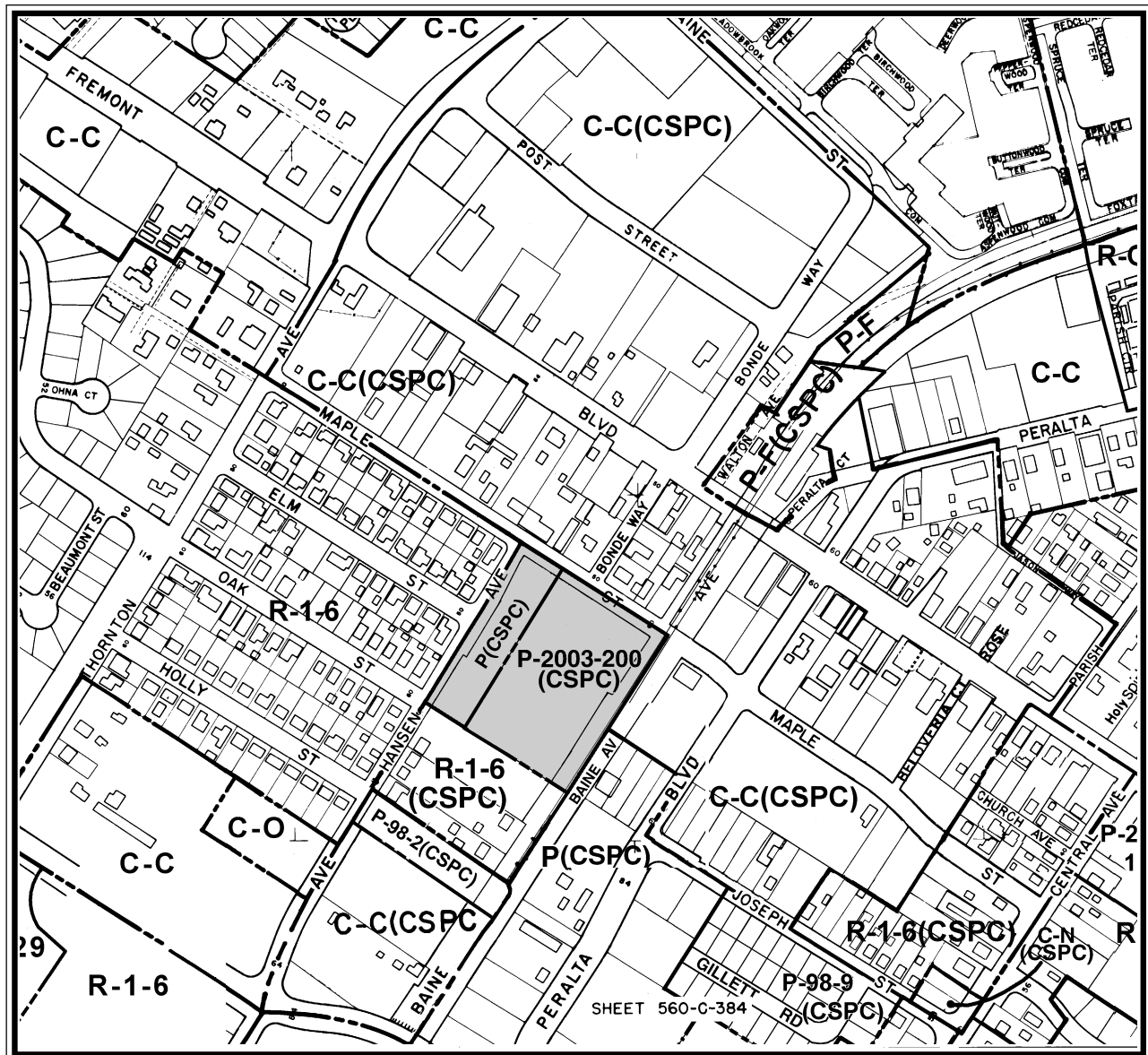
**Ordinance No.** \_\_\_\_\_

adopted by the City Council of the City of Fremont, California

**On the** \_\_\_\_\_ **day of** \_\_\_\_\_, **20** 03 .

## ZONING MAP (SECTION)

AFFECTS ZONING MAP(S) FOR THE CENTERVILLE PLANNING AREA



From: C-C(CSPC) and R-1-6(CSPC)  
To: P(CSPC) and P-2003-200(CSPC)

[pc on 06-26-03] 60-384, 60-388

Project Name: Maple St. Residential Community  
Project Number: PLN2003-00200 (PD)

